REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of March 29, 2004.

All of the Examiner's objections and rejections are traversed.

Reexamination and reconsideration are requested.

The Office Action

Claims 1-20 remain in this application.

The Examiner rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,651,114 to Davidson, Jr. in view of U.S. Patent No. 6,441,919 B1 to Parker, et al.

The Examiner objected to claim 11.

35 U.S.C. §112 Rejection

The Examiner rejected claim 1 because of insufficient antecedent basis for the limitation "the container print job" in line 11 of the claim. Claim 1 has been amended to provide sufficient antecedent basis. Moreover, claim 1 has been amended to address certain informalities. Therefore, the claim should be allowed.

The Examiner Has Failed to Establish a *Prima Facie* Case of Obviousness.

The Examiner rejected claims 1, 4, 7, 11, and 13 as being unpatentable over Davidson in view of Parker. However, the Examiner has failed to show any suggestion to combine the reference teachings. In this regard, the Examiner asserts that it would have been obvious to combine the teachings because both references disclose "printing systems to provide a relatively simple apparatus." (Detailed Action, page 4). However, it is incumbent upon the Examiner to point out with particularity the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these elements for combination. In the instant case, there is no such reason.

Davidson addresses the problem of handling multiple printing protocols

concurrently on the same network system. Thus, Davidson is concerned with print jobs at the protocol level in which the print jobs themselves are already formed.

In contrast, Parker teaches a method and apparatus for forming a print job. Parker teaches the building of a print job from individual page frames of both reusable objects, e.g. letterhead, and personalized objects, e.g. a list of mail merge names, wherein these objects are rendered and composited into a frame buffer to produce individual pages of frame data. The object of Parker is to reduce the idle time of the compositor in order to produce faster rasterization and rendering times, i.e. to produce print jobs faster. A protocol for communicating to the printer is irrelevant to Parker, which is only concerned with forming one print job. In other words, once the frame buffer data has been rendered and composited, the output of the compositor will be ready to send to a printer. It is at this point that a printing protocol (such as that discussed in Davidson) would be necessary. One of ordinary skill in the art would not turn to Parker to solve the problem present in Davidson, namely the problem of handling whole print jobs from multiple print protocols on the same printer. Therefore, there is no suggestion to combine Davidson and Parker. Thus, the Examiner has failed to meet the initial burden of proving a prima facie case of obviousness. Claims 1, 4, 7, 11, and 13 should thus be allowed. Since the other claims depend on claims 1, 4, 7, 11, or 13, all the other claims should also be allowed.

Moreover, Davidson teaches away from combination with Parker. Davidson discloses an external network adapter which emulates having a second or Alternate Channel of communication with the printer. A recited feature of the Davidson patent is that both NPAP queries and non-NPAP queries may be handled at any time, including during printing of a print job. (col. 2, lines 35-40). Furthermore, Davidson teaches packetizing non-NPAP print data into NPAP packets. (col. 5, line 53 – col. 6, line 15). Under this system of packetization and alternate channel communication with the printer, the sequential scheduling is not necessary because communication need not be stopped with the printer at any time. The header information on the NPAP packets effectively tells the printer which order to take queries and print jobs. In contrast, Parker teaches sequential scheduling of rasterizer-compositor output in order to correctly build frames of data in the frame buffer. One skilled in the art would thus not be led to combine the referenced teachings.

Finally, even if Parker and Davidson can be combined, the resultant

7

combination fails to teach all of the claimed elements. Parker teaches building a print job from individual page frames of reusable and personalized objects. A typical mail merged form letter is composed of reusable objects, e.g. the body of the form letter, and personalized objects, e.g. the list of names to send the letter to. For a print job comprised of a mail merged form letter going to fifty different people, typically each letter must be rendered and composited separately, generating a large volume of rasterizer-compositor activity for one print job. Parker is directed at reducing this activity. To speed the rasterization-composition process, Parker uses a frame buffer. First, a reusable object is rasterized-composited one time for the whole print job. Then, the rest of the personalized objects, which change for each form letter, are rasterized-composited in turn, and the pages of frame data are built using the buffer. In this way, the reusable objects only go through the rasterizer-compositor once. To accomplish this increased efficiency, however, Parker must keep track of which objects are being written into the frame buffer. To this end, Parker uses a scheduler. The scheduler tracks which objects – reusable or personalized – are being written into the frame buffer at any one time. Once all the pages are built, the print job has been completed and the print job is finished.

However, the scheduler of Parker does not track and schedule multiple, already-formed, print jobs. The Examiner recognizes that Davidson does not fairly teach scheduling and processing the print jobs. In contrast, claims 1, 4, 7, 11, and 13 recite scheduling already-formed network and LCDS print jobs. This feature of scheduling already-formed print jobs is not present in Davidson or Parker, and therefore, claims 1, 4, 7, 11, and 13 are patentably distinct from the cited patents and should be allowed. Moreover, since the other rejected claims are dependent on claims 1, 4, 7, 11, or 13, the other claims should also be allowed.

In addition, it should be noted that neither Parker nor Davidson fairly disclose LCDS data as taught in the present application. Therefore, any combination of these teachings will likewise be deficient. As such, the resultant combination does not render the claims obvious.

Claim Objection

The Examiner objected to claim 11 because of certain informalities. Claim 11 has been amended to address these concerns. Therefore, the objection should be removed.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Joseph Dreher, at Telephone Number (216) 861-5582.

Respectfully submitted,

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